


about 0.2 mm to about 1 mm.

 --19. (new) The device of claim 11, wherein said top tongues are also substantially flat and have a thickness from about 0.2 mm to about 1 mm.---

Please charge the fee of \$168 for the two extra independent claims added herewith, to Deposit Account No. 25-0120.

REMARKS

The application has been amended in order to put it into condition for allowance at this stage of the prosecution.

The claims have been amended to improve clarity and avoid double recitations. Claim 1 has also been amended to better bring out the features of the invention. Claim 1 no longer recites that the top tongues are also substantially flat and have a thickness from about 0.2 mm to about 1 mm. This feature is now recited in new claim 17. Claims 5 and 11 have been rewritten in independent form including the features recited in claim 1 but without the tongues being substantially flat and having a thickness from about 0.2 mm to 1 mm from which they initially depended but also including amendments for improved clarity.

Claims 1-4, 9, 10, 12 and 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over French Patent Document No. FR-2,731,496 A1 (FR '496). It is noted that this French document has a European counterpart EP-0.813.663 B1

which includes an English version of the French language claims. This document is cited in the accompanying Form PTO 1449 and a copy is attached.

It is urged that in FR '496, the backs of the extrusions have substantially plane rear faces adapted to bear against the support surface. Applicant again points out that the rear face of the extrusions in FR '496 includes longitudinal recesses (14) adapted to receive the tongues (25) extending from the adjacent transverse edge of the end piece (21). In other words, these tongues (21) are accommodated in the rear face of the extrusions.

Amended claim 1 recites that the rear tongues are accommodated rearwardly beyond the substantially plane rear faces (of the trunking base sections). This is contrary to the prior art arrangement and is possible because the tongues are of reduced thickness, that is from about 0.2 mm to about 1 mm.

Applicant therefore does not agree with the dual contention that it would have been obvious to one having ordinary skill in the art to provide tongues with a thickness from about 0.2 mm to about 1 mm because a change in size is a design consideration within the skill in the art and that such dimensions provide no advantage.

Given the much greater thickness of tongues, such as those described and illustrated in FR'496, it was necessary to provide the longitudinal recesses to accommodate these

tongues. If no such longitudinal recesses were provided in the extrusions, the corresponding portion of the rear face of the extrusion would be spaced from the support wall. By considerably reducing the thickness of the tongues, accommodating them beyond the substantially planar rear faces does not have the same drawback that would have been present if no such longitudinal recesses were provided in the extrusions. In addition, eliminating the longitudinal recesses simplifies the structure of the base trunking sections and provides greater versatility by eliminating attendant troughs and mesas in the opposite faces of the back.

In the response to arguments of paragraph 12 of the outstanding Official Action, it is urged that the term "substantially" can encompass surfaces that are plane or surfaces generally plane that have other protrusions along the surface. Applicant agrees with the interpretation by the Examiner of that feature in that the substantially rear faces do not preclude the presence of recesses or protrusions. It is submitted that this issue is now moot insofar as claim 1, inter alia, relies on the fact that the rear tongues are accommodated rearwardly beyond the substantially plane rear surface nowhere taught or suggested in the prior art.

It is therefore submitted that the claimed invention clearly distinguishes over the prior art and provides the advantage of eliminating the longitudinal

recess(es) which would otherwise have been required. Moreover, the advantage of the present invention over FR'496 is brought out in the last paragraph of page 3 of the present application.

It is submitted that all claims dependent directly or indirectly from claim 1 are patentable over the prior art for reasons set forth above and by reason of their additional claimed features.

The allowance of claims 8 and 14-16 is appreciated as is newly indicated allowability of the subject matter of claims 5-7 and 11, as noted above. Claims 5 and 11 have been rewritten in a similar fashion to claim 1 in that they do not include the feature whereby the top tongues are substantially flat and have a thickness of about 0.2 mm to about 1 mm. That feature is now recited in dependent claims 18 and 19.

The additional prior art cited has been noted. None is believed to teach or suggest the claimed invention as recited in the claims of the present application.

In view of the present amendments and the accompanying remarks, reconsideration and allowance are respectfully requested.

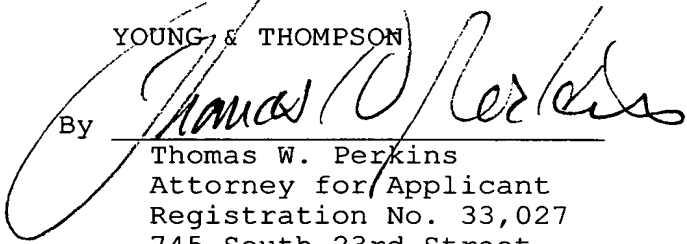
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Attached hereto is a marked-up version of the changes made to the claims. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Respectfully submitted,

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April 30, 2003

MARKED-UP VERSION TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 1 has been amended as follows:

--1. (twice amended) A device for connecting at least two lengths of [a] trunking adapted to bear against a support surface, said device including a plate for joining backs of trunking base sections [of said trunking], said backs of said trunking base sections having substantially plane rear faces adapted to bear against the support surface and opposed top faces, said plate having a rear face adapted to be flush with said rear faces of said backs and said plate having on each of its edges adjacent [cut] transverse edges of said trunking base sections rear and top longitudinal tongues respectively adapted to bear elastically on [two opposite] the rear face and the opposite top face of [each] the corresponding back, said rear tongues [are] being substantially flat [plane, have] and having a thickness from about 0.2 mm to about 1 mm, [and are adapted to bear elastically against said opposite faces of said backs,] said rear tongues being accommodated rearwardly beyond the substantially plane rear faces.--

Claim 2 has been amended as follows:

--2. (amended) The device claimed in claim [1] 17, wherein there are three said longitudinal tongues on each edge of said plate adjacent a [cut] transverse edge of a respective

one of said trunking base sections, said longitudinal tongues are disposed in an arrangement resembling the shape of a winners' podium, two of said three longitudinal [end] tongues are top longitudinal tongues, spaced from each other and positioned on the top face of said plate so as to [be placed] bear against the top face of said back of the respective one of said trunking base sections, and a central tongue located between said two top longitudinal tongues is positioned on [a bottom] said rear face of said plate so as to [be placed] bear against [a bottom] said rear face of said back of said trunking base section.--

Claim 3 has been amended as follows:

--3. (amended) The device claimed in claim [1] 17, wherein said longitudinal tongues have the same thickness.--

Claim 4 has been amended as follows:

--4. (amended) The device claimed in claim [1] 17, wherein the thickness of each of said longitudinal tongues is approximately 0.5 mm.--

Claim 5 has been amended as follows:

--5. (amended) [The device claimed in claim 1] A device for connecting at least two lengths of a trunking adapted to bear against a support surface, said device including a plate for joining backs of trunking base sections, said backs of said trunking base sections having substantially plane rear faces adapted to bear against the support surface

and opposed top faces, said plate having a rear face adapted to be flush with said rear faces of said backs and said plate having on each of its edges adjacent transverse edges of said trunking base sections rear and top longitudinal tongues respectively adapted to bear elastically on the rear face and the opposite top face of the corresponding back, said rear tongues being substantially flat and having a thickness from about 0.2 mm to about 1 mm, wherein said plate [is plane and] has at least two said transverse [ends] edges adapted to be placed adjacent [two cut] respective transverse edges of two [lengths of] trunking base sections.--

Claim 6 has been amended as follows:

--6. (amended) The device claimed in claim 5, wherein said two transverse [ends] edges of said plate are at an angle to each other enabling connection of two [lengths of] trunking base sections extending in two different directions in the same plane.--

Claim 7 has been amended as follows:

--7. (amended) The device claimed in claim 5, wherein said plate has walls on its longitudinal edges adapted to be aligned and in continuity with lateral flanges of said trunking base sections [to provide continuous walls].--

Claim 8 has been amended as follows:

--8. (twice amended) A device for connecting at least two [lengths of] trunking base sections, including a

plate for joining backs of said trunking base sections [of said trunking], said plate having on each of its transverse edges adjacent [cut] transverse edges of [said] the respective trunking base sections longitudinal tongues adapted to bear on two opposite faces of each of said backs, which tongues are substantially [plane] flat, have a thickness from about 0.2 mm to about 1 mm, and are adapted to bear elastically against said opposite faces of said back,

wherein said plate [is plane and] has at least two transverse [ends] edges adapted to be placed adjacent two [cut] transverse edges of [two lengths of] respective trunking base sections, and

wherein said plate carries on its top face a pillar with an orifice [through it that opens] opening onto [the bottom] a rear face of said plate, said orifice forming a passage for a fixing member for fixing said plate to a support [wall supporting it].--

Claim 9 has been amended as follows:

--9. (amended) The device claimed in claim 1, wherein said plate has two parts with an inside or outside corner between [them] said parts of said plate and each transverse edge of each part of said plate adapted to be placed adjacent a [cut] transverse edge of [a] the respective trunking base section is provided with longitudinal tongues.--

Claim 10 has been amended as follows:

--10. (twice amended) The device claimed in claim 9, wherein said trunking base sections have lateral flanges and wherein said tongues are adapted to bear elastically also on [opposite faces of said backs] and said lateral flanges of said trunking base sections.--

Claim 11 has been amended as follows:

--11. (amended) [The device claimed in claim 9] A device for connecting at least two lengths of a trunking adapted to bear against a support surface, said device including a plate for joining backs of trunking base sections, said backs of said trunking base sections having substantially plane rear faces adapted to bear against the support surface and opposed top faces, said plate having a rear face adapted to be flush with said rear faces of said backs and said plate having on each of its edges adjacent transverse edges of said trunking base sections rear and top longitudinal tongues respectively adapted to bear elastically on the rear face and the opposite top face of the corresponding back, said rear tongues being substantially flat and having a thickness from about 0.2 mm to about 1 mm, wherein said plate has two parts with an inside or outside corner between said parts of said plate and each transverse edge of each part of said plate adapted to be placed adjacent a transverse edge of a trunking base section is provided with longitudinal tongues and wherein

said two parts of said plates are fixed relative to each other.--

Claim 13 has been amended as follows:

--13. (amended) The device claimed in claim 1, wherein said plate is [molded in] of a one-piece plastic construction [from a plastics material].--

Claim 14 has been amended as follows:

--14. (amended) A device for connecting two lengths of trunking, the device comprising:

a plate having a flat rear surface arranged and adapted to bear against a support, a top surface opposite said flat rear surface, and two edges that are each arranged and adapted to bear against an edge of a different one of [the] two lengths of trunking when backs of the two lengths of trunking bear against the support;

each of said two edges of said plate having at least one flat bottom tongue that extends beyond the respective one of said edges in a plane parallel to said plate, said bottom tongue [being attached to] adjoining said rear surface of said plate and having a flat bottom that is spaced from said rear surface of said plate by a thickness of said bottom tongue and a flat top that is substantially coplanar with said rear surface of said plate, said flat bottom of said bottom tongue being arranged and adapted to bear against the support and said flat top of said bottom tongue being arranged and adapted

to bear against the back of the respective length of trunking;
and

each of said two edges of said plate having at least one top tongue that extends beyond the respective one of said edges in a plane parallel to said plate, said top tongue [being attached to] adjoining said top surface of said plate and having a bottom that [conforms to] is substantially coplanar with said top surface of said plate and that is arranged and adapted to bear against a front surface of the back of the respective length of trunking,

said bottom of said top tongue and said flat top of said bottom tongue being separated by a distance equal to the thickness of said plate.--

Claim 16 has been amended as follows:

--16. (amended) The device of claim 14, wherein each of said two edges of said plate has at least two [of] said top tongues.--